

JS 44C/SDNY
 REV. 2/2016

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

CHARLES RICHARD HAILE, JR., Individually and on Behalf of All Others
 Similarly Situated,

DEFENDANTS

ALLERGAN PLC, BRENTON L. SAUNDERS, PAUL M. BISARO, MARIA TERESA HILADO, and R. TODD JOYCE

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
 Pomerantz, LLP
 600 Third Avenue
 New York, NY 10016; T: (212) 661-1100

ATTORNEYS (IF KNOWN)

**CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
 (DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)**

15 U.S.C. §§78j(b) and 78t(a)) and Rule 10b-5 promulgated thereunder by the SEC (17 C.F.R. §240.10b-5)

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? Yes Judge Previously Assigned

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

| | | TORTS | ACTIONS UNDER STATUTES | | | |
|--|---|--|------------------------------------|---|--|-----------------------|
| CONTRACT | PERSONAL INJURY | | PERSONAL INJURY | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
| [] 110 INSURANCE | [] 310 AIRPLANE | [] 367 HEALTHCARE/ | [] 362 DRUG RELATED | [] 422 APPEAL | [] 375 FALSE CLAIMS | |
| [] 120 MARINE | [] 315 AIRPLANE PRODUCT | PHARMACEUTICAL PERSONAL | SEIZURE OF PROPERTY | 28 USC 158 | [] 376 QUI TAM | |
| [] 130 MILLER ACT | LIABILITY | [] 365 PERSONAL INJURY | 21 USC 881 | [] 423 WITHDRAWAL | [] 400 STATE | |
| [] 140 NEGOTIABLE INSTRUMENT | [] 320 ASSAULT, LIBEL & SLANDER | PRODUCT LIABILITY | [] 690 OTHER | 28 USC 157 | REAPPORTIONMENT | |
| [] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT | [] 330 FEDERAL EMPLOYERS' LIABILITY | ASBESTOS PERSONAL INJURY PRODUCT LIABILITY | | | [] 410 ANTITRUST | |
| [] 151 MEDICARE ACT | [] 340 MARINE | | | | [] 430 BANKS & BANKING | |
| [] 152 RECOVERY OF DEFANTED STUDENT LOANS (EXCL VETERANS) | [] 345 MARINE PRODUCT LIABILITY | | | | [] 450 COMMERCE | |
| [] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS | [] 350 MOTOR VEHICLE | [] 370 OTHER FRAUD | | | [] 460 DEPORTATION | |
| [] 160 STOCKHOLDERS SUITS | [] 355 MOTOR VEHICLE PRODUCT LIABILITY | [] 371 TRUTH IN LENDING | | | [] 470 RACKETEER INFLENCED & CORRUPT ORGANIZATION ACT (RICO) | |
| [] 190 OTHER CONTRACT | | | | | [] 480 CONSUMER CREDIT | |
| [] 195 CONTRACT PRODUCT LIABILITY | | | | | [] 490 CABLE/SATELLITE TV | |
| [] 196 FRANCHISE | | | | | | |
| REAL PROPERTY | ACTIONS UNDER STATUTES | | PRISONER PETITIONS | LABOR | SECURITIES/ COMMODITIES/ EXCHANGE | |
| [] 210 LAND CONDEMNATION | [] 440 OTHER CIVIL RIGHTS (Non-Prisoner) | [] 380 OTHER PERSONAL PROPERTY DAMAGE | [] 463 ALIEN DETAINEE | [] 710 FAIR LABOR STANDARDS ACT | [] 850 SECURITIES/ COMMODITIES/ EXCHANGE | |
| [] 220 FORECLOSURE | | [] 385 PROPERTY DAMAGE | [] 510 MOTIONS TO VACATE SENTENCE | [] 720 LABOR/MGMT RELATIONS | | |
| [] 230 RENT LEASE & EJECTMENT | | MED MALPRACTICE | 28 USC 2255 | [] 740 RAILWAY LABOR ACT | [] 890 OTHER STATUTORY ACTIONS | |
| [] 240 TORTS TO LAND | | | | [] 751 FAMILY MEDICAL LEAVE ACT (FMLA) | [] 891 AGRICULTURAL ACTS | |
| [] 245 TORT PRODUCT LIABILITY | | | | [] 790 OTHER LABOR LITIGATION | | |
| [] 290 ALL OTHER REAL PROPERTY | | | | [] 791 EMPL RET INC SECURITY ACT (ERISA) | [] 893 ENVIRONMENTAL MATTERS | |
| | | | | | [] 895 FREEDOM OF INFORMATION ACT | |
| | | | | | [] 896 ARBITRATION | |
| | | | | | [] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION | |
| | | | | | [] 950 CONSTITUTIONALITY OF STATE STATUTES | |

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
 IF SO, STATE: _____

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

- | | | | | | | |
|---|---|---|---|--|---|--|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from (Specify District) | <input type="checkbox"/> 6 Multidistrict Litigation | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge Judgment |
| | | | | | | |
| | | <input type="checkbox"/> a. all parties represented | | | | |
| | | <input type="checkbox"/> b. At least one party is pro se. | | | | |

(PLACE AN X IN ONE BOX ONLY)

- | | | | |
|---|---|--|--------------------------------------|
| <input type="checkbox"/> 1 U.S. PLAINTIFF | <input type="checkbox"/> 2 U.S. DEFENDANT | <input checked="" type="checkbox"/> 3 FEDERAL QUESTION (U.S. NOT A PARTY) | <input type="checkbox"/> 4 DIVERSITY |
|---|---|--|--------------------------------------|

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

| | | | | | | | |
|--------------------------|--------------|--------------|---|---------------------------|---|--------------|--------------|
| CITIZEN OF THIS STATE | PTF [] 1 | DEF [] 1 | CITIZEN OR SUBJECT OF A FOREIGN COUNTRY | PTF DEF [] 3 [] 3 | INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE | PTF [] 5 | DEF [] 5 |
| CITIZEN OF ANOTHER STATE | [] 2 | [] 2 | INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE | [] 4 [] 4 | FOREIGN NATION | [] 6 | [] 6 |

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

CHARLES RICHARD HAILE, JR.

(Larimer county, Colorado)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

ALLERGAN PLC, Clonshaugh Business and Technology Park, Coolock, Dublin, D17 E400, Ireland

BRENTON L. SAUNDERS, PAUL M. BISARO, MARIA TERESA HILADO, and R. TODD JOYCE,
c/o ALLERGAN PLC

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN

(DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 11/8/16 SIGNATURE OF ATTORNEY OF RECORD /s/ Jeremy A. Lieberman ADMITTED TO PRACTICE IN THIS DISTRICT
 NO
 YES (DATE ADMITTED Mo. 01 Yr. 2006)
 Attorney Bar Code # JL6130

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)